October 18, 2004

Office of the US Attorney
Appellate Division
Department of Justice
Washington, DC
Fax: (202) 514-8151

Attn: AUSA Bob Greenspan

Ref: 04-197 Kilcullen v. Lewis, et al.

Dear Sir,

Attached is a fax sent to the Clerk of the Supreme Court for your records.

Sincerely,

Brian Kilcullen
Tel: (954) 772-0200
Fax: (954) 567-4941

October 18, 2004

Supreme Court of the United States
Office of the Clerk
1 First Street NE
Washington, D.C. 20543
Fax: (202) 479-3230

Attn: Donald Baker

Ref: 04-197 Kilcullen v. Lewis, et al.

Dear Sir,

Pursuant to the conversation we had regarding the above styled case, with respects to whom the Acting Solicitor General represents, I telephoned the ASG's Office for clarification.

After placing a call to the ASG's Office, I, Brian Kilcullen, was contacted by Assistant United States Attorney Bob Greenspan, of the Washington Appellate division of the Office of the US Attorney. Mr. Greenspan relayed to me that he had read the Writ for Certiorari, was familiar with the case and that the Waiver of Right, dated September 1st, 2004, supplied to myself and the court, was a Waiver for both the United States of America and the federal defendants, Guy Lewis, Terrence Thompson, Laurie Rucoba, Howard Weintraub, John Devaney, Michael Consavage and Michael Palmer's rights to respond to the Petition for Writ of Certiorari. And that the Acting Solicitor General would represent the interests of the both the United States of America and those named federal defendant's in this case/Petition, should this case be heard by the Supreme Court.

Thank You for your cooperation.

Sincerely,

Brian Kilcullen
Tel: (954) 772-0200
Fax: (954) 567-4941